

August 24, 2012

Honorable Arthur D. Spatt
United States District Judge
Eastern District of New York
Long Island Federal Courthouse
Central Islip, New York 11722
Via ECF

Re: Home Loan Bank v. Goodness and Mercy, et al.,
CV-10-4677

Dear Judge Spatt:

Please consider this letter application as a request that defendants Goodness and Mercy, Inc., Mary Gilliam and Harriet A. Gilliam's Motion for a stay of execution of the Judgment of Foreclosure and Sale herein and further for the setting aside or reconsideration of said Judgment, all filed on August 7, 2012 be granted as unopposed. In the alternative defendants herein had requested by letter motion filed August 13, 2012 that the automatic stay be continued while the Court is considering defendants' Motions to set aside or reconsider the Judgment of Foreclosure. This letter application has also gone unopposed. Accordingly, defendants respectfully request, in the alternative, that the motion to stay the Judgment of Foreclosure and Sale be stayed pending the Court's consideration of the motions to set aside or reconsider, which were filed August 7, 2012 and were unopposed.

In addition, defendants have filed a Notice of Appeal with the Second Circuit Docket 12-3262. Defendants appellants request that this Court grant a stay of all enforcement actions of the Judgment of Foreclosure and Sale, pursuant to FRCP 62, pending this appeal.

Thank you for your consideration of these applications.

Very truly yours,
/s/Harriet A. Gilliam, Esq.
HAG: hs 5417

cc: Patrick Sweeny, Esq. via ECF

documents. I am contacting you to request an extension of time by which to respond to plaintiff's complaint in the above-referenced action which was not received until November 2, 2010 by regular mail at my residence, as indicated by the copy of the mailing envelope, Exhibit A. Mary Gilliam received the same mailing on the same date.

Since that time, I have been in touch with Home Loan Bank regarding a modification of the loans, as indicated by my letter of November 17, 2010 referencing a phone conversation of that same date. Exhibit B. In addition, the bank representative Andrea, had advised during our November 17, 2010 conversation that a revised modification package would have to be sent out, which was received on November 22, 2010 Exhibit C. It is expected that the loan will be brought current within the next sixty days.

We have also received communication from the bank that the residential property which is held as collateral for the commercial loan may be eligible for Home Loan is required to participate in a court ordered settlement conference before any foreclosure proceeding can go forward: This has not occurred.

On November 30, 2010 I contacted counsel for Home Loan by phone in order to request an extension of time to respond and to seek advise of counsel. During said telephone message I advised Mr. Sweeny that I had been in communication with Home Loan and was working to secure a modification and reinstatement of the loan. I asked

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him to return my call to my request, which he did not do initially. I then sent him a letter dated November 30, 2010, requesting that he contact me as to whether or not he would agree to an extension of time. Exhibit E. I did not hear back from Mr. Sweeney until December 3, 2010 via a phone message in which he stated that he would not consent to any extension as he had already filed for default. He did acknowledge that his client,

Home Loan, had confirmed that we were discussing a resolution, but added that notwithstanding the same, they did not want to delay the court action.

It is respectfully requested that defendants Goodness and Mercy, Inc., Mary Gilliam and Harriet A. Gilliam have an extension of time of 60 days by which to respond to the complaint herein. This request is made in the interest of justice, given the aforementioned factors and given that complaint was not received in this matter until November 2, 2010. Moreover, Mary Gilliam is presently being treated for a medical condition and has been and will again be hospitalized, all of which impair her ability to fully participate in responding to this matter. Lastly, I am seeking advice of counsel and would respectfully request additional time to do so.

It is also noted that there are a number of necessary parties, some of which have only recently been served and have not yet appeared in this action.

For all of the foregoing reasons, it is respectfully requested that the corporate and individual defendants have until February 7, 2011 by which to respond.

Thank you for your consideration of this application.

Very truly yours,

Harriet A. Gilliam

Enc.